

# THIS IS THE LAW

## Capital Crimes

What crimes are punishable by death in North Carolina?

Murder in the first degree, burglary in the first degree, rape, and arson.

If at the time of rendering its verdict in open court, the jury shall so recommend, the punishment for any of these crimes may be imprisonment for life in the State's prison.

Crimes punishable by death are frequently called "capital crimes."

How is the death penalty administered in North Carolina?

Death sentences for crimes committed subsequent to July 1, 1935, are carried out by the administration of lethal gas.

If a person should be arrested and convicted today for a capital crime committed prior to July 1, 1935, the death sentence would be carried out by electrocution.

Why are the crimes of arson and burglary punishable by death?

Both of these crimes are against the habitation of human beings and have always been regarded as of the most serious of aggravated offenses. The law has been zealous in the

protection of a man's home.

What is arson?

Arson is the willful and malicious burning of the dwelling house of another. In order to constitute this crime there must be some burning, though very slight, to a home.

The willful and malicious burning of a school house, a church, a store building, and the like is not arson in North Carolina. Although such acts are serious crimes, they are not crimes that carry the death penalty.

What is burglary?

Burglary is the breaking and entering of a dwelling house, or in any room used as a sleeping apartment in any building, of another, in the nighttime, with the intent to commit a felony therein.

Burglary is generally committed with an intent to steal, but there are frequent cases where the intent is to rape or commit other crimes.

The particular crime in North Carolina is divided into two degrees, first and second, depending upon the actual occupancy of the dwelling or sleeping apartment at the time of the commission of the crime.

If the habitation is actually occupied at the time of the commission of the crime, it is burglary in the first degree and punishable by either death or life imprisonment. If the habitation is not actually occupied at the time of the commission of the crime, it is burglary in the second degree and punishable by either life imprisonment or for a term of years in the discretion of the judge.

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## Charlie Gooding At Fort Knox, Ky.

FORT KNOX, KY. — Pvt. Charlie Gooding, son of Mrs. Leaner Gooding, 301 N. Orion St., Kinston, N. C., recently completed ten weeks of advanced individual training under the packet platoon system at the Armored Replacement Training Center, Fort Knox, Ky.

Private Gooding was trained to drive the Army's medium tank.

He passed the 30 and 50 caliber machine gun proficiency tests and qualified as a gunner in the firing of the 90 mm. tank gun.

Under the packet platoon system of training, each trainee becomes a permanent member of a tank crew.

Gooding attended Adkin High School before entering the Army in March of this year. He completed basic training at Fort Jackson, S. C.



**PRETTY GIRL, IMPORTANT CROP** — Miss De Lois Faulkner of Sallisaw, Okla., the current National Maid of Cotton, is shown surrounded by ripe, open boll of cotton — North Carolina's second most important crop. Miss Faulkner, a very pretty girl, represents a very important crop.

She will appear in several cotton fashion shows at the 1935 North Carolina State Fair, October 18 through 22. Cotton will be the featured commodity at the State Fair this year. Statistics show that more Tar Heels receive their income from cotton and cotton products than from any other single source.

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Deer Season Opens Fri., Oct. 14th